

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 9, 2002**

AGENDA ITEM NO.: 14

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: Public hearing regarding vacating a 20-foot by 130-foot section of alley located between 300 and 228 St. Augustine Street

RECOMMENDATION:

Adopt an ordinance vacating a 20-foot by 130-foot section of alley located between 300 and 228 St. Augustine Street.

SUMMARY:

Mr. Carey W. Callaway is petitioning the City to vacate a 20-foot by 130-foot section of alley located between 300 and 228 St. Augustine Street. The Technical Review Committee recommends that the City retain an easement to maintain, repair and/or replace existing utilities located in the alley. The adjoining property owner, Steve V. Mendoza, is in agreement.

PRIOR ACTION(S):

June 8, 1999: Technical Review Committee Review
April 2, 2002: Physical Development Committee Review

BUDGET IMPACT:

None

CONTACT(S):

Pat Kost 847-1443/228
Carey W. Callaway 847-8695

ATTACHMENT(S):

- Ordinance
- Map
- Technical Review Committee Report

REVIEWED BY:

AN ORDINANCE VACATING A 20-FOOT BY 130-FOOT SECTION OF ALLEY LOCATED BETWEEN 300 AND 228 ST. AUGUSTINE STREET

WHEREAS the City of Lynchburg on its own motion is proposing to vacate a 20-foot by 130-foot section of alley located between 300 and 228 St. Augustine Street; and

WHEREAS all adjacent property owners are in agreement to vacating the 20-foot by 130-foot section of alley located between 300 and 228 St. Augustine Street; and

WHEREAS City Council finds that no public inconvenience will result from vacating the 20-foot by 130-foot section of alley located between 300 and 228 St. Augustine Street;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as amended, the following described 20-foot by 130-foot section of alley located between 300 and 228 St. Augustine Street, be, and the same hereby is discontinued and vacated, namely:

A 20-foot by 130-foot section of alley located between 300 and 228 St. Augustine Street.

Provided, however, that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg, and the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace and maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division.

BE IT FURTHER ORDAINED That the Clerk of Council is hereby authorized and directed to deliver a duly-certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified: _____
Clerk of Council

054P



